

## **REMARKS**

### **Claims 1-14**

Claim 1 has been amended to make it clear that what is being done is predicting a time in the future when the effect of a local noise source would be reduced. Then a transmission to a receiver proximate to said local noise source may be controlled to occur at a time when the likelihood of a noise source being active is reduced.

For example, characteristics of the local noise source may be analyzed to determine the applicable wireless standard that is being utilized by that noise source. Then a prediction may be made about when its effects as noise would be reduced.

None of the cited references are capable of such prediction. West merely monitors, in real time, when noise is occurring and does not transmit when the noise source is currently active. None of the cited references collect data to make a prediction about a future time when the noise would be abated.

Therefore, claim 1 and its dependent claims should be in condition for allowance. On a similar analysis, claim 9 and its dependent claims and claim 12 and its dependent claims should be in condition for allowance.

### **Claims 15-27**

Claim 15 was rejected under Section 102 based on West. It is suggested that West teaches using a characteristic of the noise signal determined without demodulating that signal “to identify said noise signal,” citing column 61, lines 25-30. However, there is no “identification” of the interference signal. For example, at lines 35-42, West explains that the RSSI indicator is evaluated to determine “whether periodic interference is present.” “If there is periodic interference, then computer controller 4519 controls transceiver 4521 to only transmit in the times when the interference is absent...” Thus, there is no identification of the noise signal. Instead, West merely determines whether the signal is present, whatever it may be, and avoids transmission during its presence.

Therefore, reconsideration of the rejection of claim 15 is respectfully requested. For the same reason, claims 16-18, dependent on claim 15, and claim 19, as well as its dependent claims 20 and 21, should be in condition for allowance.

Claim 22 calls for using characteristics of the noise signal identifiable without demodulating said signal "to predict the behavior of said signal without demodulating said signal." Again, claim 22 was rejected under Section 102 based on West.

There is no prediction in West. Instead, West just determines whether the noise is present and, if so, West does not transmit. Absent any prediction, the rejection of claim 22 should be reconsidered.

For the same reasons, claims 23 and 24, dependent on claim 22, and claim 25 and its dependent claims should be in condition for allowance.

**Claims 28 and 29**

Claim 28 has been amended to include the subject matter of claim 30. Claim 30 was rejected as obvious over West and Hess. However, neither Hess nor West teach predicting the behavior of the noise signal without demodulating said signal based on the received signal strength when the device is not actively transmitting.

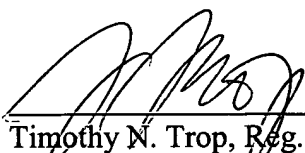
Therefore, reconsideration of claim 28 is respectfully requested.

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In view of these remarks, the application is now in condition for allowance and the Examiner's prompt action in accordance therewith is respectfully requested.

Respectfully submitted,

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